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Electronically Filed on: April 16, 2019

Chapter 13 Trustee

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

CASE NO. 19-50039-BTB
CHAPTER 13

JULIETTE R. ROBERSON,

Debtor.

**TRUSTEE'S OBJECTIONS TO
CONFIRMATION OF AMENDED
CHAPTER 13 PLAN**

Hearing Date: 04/25/2019
and Time: 3:00 pm

/ (Time Required – 1 minute)

The Trustee objects to confirmation of the Debtor(s) Chapter 13 Plan or any Amended Plan to the extent the proposed Plan contains provisions inconsistent with the provisions of 11 U.S.C. §1322 or to the extent the requirements of 11 U.S.C. §1325 have not been satisfied. In connection with plan confirmation, the Trustee requests that the court determine that the Debtor has complied with 11 U.S.C. § 521(a)(1) and, that the automatic dismissal provisions of 11 U.S.C. § 521(i) do not apply.

The Trustee raises the following additional confirmation issues that are checked below:

 X The Debtor(s) projected Disposable Income during the applicable Commitment Period is not applied to make payments to unsecured claims in this case. 11 U.S.C. §§1325(b)(1)(B) & (b)(2). Based on the supporting documentation provided to the Trustee and the Trustee's review of the Debtor's form B22C and Schedules I and J, the Debtor(s) has miscalculated their Current Monthly Income as defined by 11 U.S.C. § 101(10A) and their disposable income as defined by 11 U.S.C. § 1325(b)(2).

The debtor's form 22C-2 results in a Disposable Monthly Income (Line #45) in the amount of \$1,550.00; which requires unsecured creditors to receive a minimum distribution of \$93,000.00. The currently proposed plan does not adequately provide for this figure, nor does it provide for sufficient funds to account for a 100% distribution to all allowed unsecured creditors. The Trustee believes the debtors should present evidence supporting the departure from Form 22C.

 X The Plan does not provide for all scheduled administrative, secured and priority claims and/or the proposed Plan payments are not adequate to provide for full payment of all administrative, secured and priority claims. 11 U.S.C. §1322(a).

RC Willey Secured \$1,006.00

Americredit (2016 GMC Terrain Lease) AR \$8,395.69

X The Debtor(s) have not provided all requested tax returns or have failed to file all federal, state and/or local tax returns required by 11 U.S.C. § 1308. 11 U.S.C. § 1325(a)(9); Section 1228 of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (not codified in Title 11).

2016, 2017 and 2018 Tax Returns

 X Other. The Trustee requests the following additional documentation:

Loan maturity information (2014 Victory Cross Country)

Current Income documentation

Explanation of change in Tax liability (Amended Sch I = 14.99% of gross)

DATED: April 16, 2019

/S/ WILLIAM A. VAN METER

William A. Van Meter, Trustee

CERTIFICATE OF SERVICE

Pursuant to Fed. R. Bankr. P. 9014, 7004 and Fed. R. Civ. P. 4(g), I Candice Walker hereby swear under penalty of perjury that I am over the age of 18, not a party to the within action, and that on April 16, 2019, I Electronically Filed the attached **TRUSTEE'S OBJECTIONS TO CONFIRMATION OF AMENDED CHAPTER 13 PLAN** and that upon the filing of the document I anticipate that the Bankruptcy Court will thereafter generate a Notice of Electronic Filing and electronically transmit the document to:

Dated: April 16, 2019

/S/ Candice Walker
Candice Walker

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